TRAVANCORE GOVERNMENT GAZETTE, SUPPLEMENT.

Tuesday 10th Dec. 1901.

# Abstract Proceedings of the Travancore Legislative Council.

The Council met in the Dewan's room, Public Offices, at 3 P. M., on Saturday the 30th November 1901. / 15th Vrichigom 1077.

PRESENT.

M. R. Ry. Dewan Bahadur K. Krishnaswamy Rao Avergal, C. I. E., F. M. U., Dewan ... ...*Presiding.*

M. R. Ry. T. Kunhiraman Nair Avergal.
M. R. Ry. V. Nagam Aiya Avergal, B. A., F. R. H. S.
M. R. Ry. P. Thanu Pillai Avergal, M. A., F. M. U.
M. R. Ry. T. Rajaram Row Avergal, B. A.
Mr. H. S. Ferguson.
M. R. Ry. M. Sivasubramonia Pillai Avergal, B. A.
M. R. Ry. S. Dharmaraja Iyer Avergal.

Secretary.—I beg to announce that the Bill to amend the Civil Courts Regulation I of 1057 passed by the Council on the 7th September 1901 received the assent of His Highness the Maha Rajah on the 16th September 1901 and has become law as Regulation I of 1077, with effect from the 1st Vrichigom 1077.

The following petition was then reported to the Council.

| No. | From whom received. | Subject. |
|---|---|---|
| 1 | R. Narayana Pillai and 13 others of Navaikulam. | Weights and Measures Bill. |

## WEIGHTS AND MEASURES BILL.

Mr. Rajaram Row.—The first business on the agenda is the consideration of the principle of the Weights and Measures Bill. Before obtaining leave to introduce it, I explained to you in what an unsatisfactory condition the weights and measures of the country are, how, though known under certain common denominations, they differ vastly from each other and how from want of legal standards for comparing and verifying them, frauds prevail. The necessity for legislation having been recognised, I availed myself of the permission you granted me, and at our last meeting formally placed this Bill before you and the public, but owing to a technical difficulty, I had to wait until to-day to explain its provisions.

In para 1 of the "Objects and Reasons," I have mentioned the fact that I have indented upon the British Indian Statute Book for finding a guide for the main principles of my Bill. Until 33 years ago, the British Indian Government

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appears to have been in the same plight in which we are to-day in this respect; in 1868, a committee was appointed to revise their weights and measures, and as a result of the committee's labors, Act XI of 1870 was passed; but it did not become law, as the standard of lineal measure laid down in it was not approved of by Her Majesty's Secretary of State for India. A second Act, namely, XXXI of 1871, was then passed dealing with weights and measures of capacity only. 18 years later, another Act, II of 1889, became also the law for measures of length, and at present, it is according to these two enactments that the weights and measures of British India are regulated and governed. But it is the former which really contains the principles according to which legislation on a matter like this should be based and I have followed those principles in framing this Bill.

Uniformity of weights and measures is a thing which cannot be aimed at or brought about for the whole country all at once, although as a necessary consequence of legislation, it would follow by degrees and be fully attained at some future time. The British Indian legislature, therefore, contemplates the attainment of uniformity, not as a primary but only as an ultimate end, and says so in so many words in the preamble to the enactment which I have last quoted. This is no doubt due to the fact that in the vast British Empire, there are certain marked and deep-rooted local distinctions, which cannot be suddenly removed without seriously paralysing existing monetary and other transactions among the people. Although this country is small, there are, in certain parts of it, long-standing local distinctions which cannot be suddenly removed, and the bringing about of uniformity at the outset is not possible. The fixing of legal standards has been the main object which has been held in view.

The fixing of the units or primary standards on which certain *systems* of weights and measures are to be *constructed*, the introduction into the markets of the country of the actual weights and measures which are necessary to meet the wants of the people, the preservation and custody of the articles, vessels &c., which constitute such standards, the method of indicating the fact that they are authorised for use, their periodical examination and correction, are all matters in regard to which the Government have to take power, and the Bill provides for each of them.

Section 2 treats of the primary standards. Taking weights first, it will be seen that I have fixed a tolah or rupee weight as the lowest unit on which all higher weights will be based, and I have done so after very careful thought and consideration. The calanjee, palam and thulam were apparently the weights used in the country before it came into commercial contact with European nations. Then came into vogue the rathal (Dutch pound) and candy, which were followed by the Avoirdupois pound, quarter, hundredweight and ton. Of the old Hindu weights, the calanjee may alone be said to be constant throughout the country, but the palam and thulam vary in different places. In adjusting mercantile transactions, the varying palam and the varying thulam have to undergo several processes of conversion and for doing so, the rupee weight is called into requisition as the medium of such conversion. The palam and thulam of Paravoor are said to be so many rupees weight more or less than the palam and thulam of Kottar and *vice versa*. The same remark applies to the rathal and pound Avoirdupois, and the merchant who has to purchase by the one and sell by the other, is obliged to resort to a similar process. This is one chief reason why I take a rupee weight as the lowest unit and base on it other weights. According to Act XXXI of 1871, a Sêr equal to a French standard known as the *Kilogramme Des Archives*, has been taken as the primary standard of weight, but the Bengal Sêr which is equal to 80 tolahs, is not the Sêr known in the Madras District which varies from 24 to 140 tolahs, and when the two have to be compared with each other, their equivalents are ascertained in rupee weights. Thus, it is the rupee weight which is resorted to in all cases, and I have, therefore, adopted it as the *basis* for *building* a *system* of weights for the country. How a system of actual weights is to be built upon this primary standard and brought into practical use, I will explain when I come to section 4.

The next thing dealt with in section 2 is the unit of a measure of length. Distances between parts of the country, the sides of a field or garden, the dimensions of a building and of the cloths we wear, &c., have all to be measured by this standard,

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and a common basis is necessary on which different *ulterior* standards could be fixed. We have the kole and angulam or viral, but they are neither uniform nor fixed. The kole, however, holds its own against other standards so far as timber measurement and the measurement of fields, compounds and buildings are concerned, and the variations in the different koles have been removed by making it equal to 30 inches. Hence, I take the inch as the primary standard. 30 inches would make a kole, 4 koles would make a dendu and the purpose for which those measures are used will continue as at present. Similarly, a length equal to 12 inches will be known as a foot, that equal to 3 feet will be a yard, and all cloth will be measured by this standard, while the distances between places will be also calculated in furlongs, miles and leagues. In fact, what I suggest is to give a legal status to the inch and other standards of lineal measure now most in use.

The last subject dealt with in section 2 is the unit of a measure of capacity. According to the British Indian law on this subject, the amount of space necessary to hold a Sêr weight of water at its greatest density is to be called a Sêr measure, and it is to form the lowest unit of the measures of capacity. It is not in contemplation to adopt the British Indian standards of measure here, and as already a grain standard has been fixed by His Highness' Government in the Revenue Settlement Proclamation, nothing further is necessary than to adopt it in this Bill as the primary standard for measures of capacity, whether they be used for grains or liquids.

Section 3 will be necessary whether the primary standards I have suggested are adopted or are superseded by others.

Section 4 is important. I should not wonder if, in some quarters, disappointment is felt that the Bill does not specify anything about the actual weights and measures which will be introduced into the shops and markets of the country, immediately a law is passed. This section, it will be observed, simply leaves it to the Government as in British India to specify by notification, the names, magnitudes, dimensions, shapes &c., of the weights and measures to be used in the different markets of the country. It might be asked, why adopt such a course, that is, why not lay down by the Regulation itself what is left to be done by Government notifications? I may say before I proceed further, that I have adopted in this section what the British Indian Legislature has done. Circumstances will arise under which a standard either of weight or measure once fixed might have to be changed, and unless power is left to the Executive Head of the Government to effect such changes, constant references to the Legislature will become inevitable, but as the Executive Government will be the best judge of the necessity for such changes, the Legislature will simply have to pass as a matter of form what the Executive Government recommends, an end which will be far better attained by giving them the power laid down in the Bill. It might be as well to indicate here what the public might expect the Government to do when this law is passed. With regard to weights, the Government might declare by a notification for the *whole country* that a block of a particular metal of a particular size and shape, and equal in weight to a given number of tolahs, shall be a palam and that other larger blocks of such metal equal to a given number of palams or its larger multiples shall be a rathal, thulam, or candy. Similarily, it might, by another notification, declare also for the whole country, the lengths of certain metallic rods as being a kole, dendu, foot or yard. With regard to measures of capacity, however, it would have to issue varying notifications. In the taluqs where the Revenue Settlement operations have been completed and where it has introduced the 80 cubic inches edangali for collecting its grain tax, it will declare that the edangali vessel to be used in bazaars should hold 80 cubic inches of water, and a vessel with ten times that capacity shall be a parah. In the settled taluqs where it is not the edangali but the marakal that is in use, it will declare that a marakal shall hold a certain number of edangalis and a kotah shall be the 21st multiple of a marakal. These notifications may not have to be altered after being once fixed, at least for a long time to come. In taluqs, however, where the old parah is still in force and will continue to be s until Revenue Settlement operations are finished, it will legalise, by notification, t measure which is most in use there, but immediately the Revenue Settlement is o that notification will be withdrawn and another issued instead, introducing th

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cubic inches edangali and its tenth multiple, parah. The same will apply to the unsettled taluqs where the marakal and kotah are in use.

Section 5 is chiefly intended to protect the rights and obligations already created, and to give certain conveniences to trade. It is not likely that all the varieties of weights and measures now in use will be kept up as legal standards when this law is passed, and several of them will cease to be recognised for use afterwards. But there might be contracts or other transactions which have been entered into already and which will have to be carried out for a *long* time to come with reference to the weights or measures now in use. Even after the new law comes into force, contracts might come into existence for the supply or delivery of articles whose quantities are not reckoned in terms of the authorised weights and measures, but the actual supply and delivery of such articles might take place according to those weights and measures. To know whether and how far the contracts have been fulfilled, tables of conversion will become necessary, and without them, both business men and the courts of the country will be put to much inconvenience. To obviate such inconvenience is one of the objects of this section.

The first part of section 6 is self-explanatory, but I will say a word about the latter part of it. The work of protecting or guarding the correctness of the authorised weights and measures has, by this Bill, been assigned *ex-officio* to all magistrates in the country, whereas in British India, all magistrates are not *ex-officio* wardens, nor are all wardens, magistrates. I think that, for the circumstances of our administration, the arrangement proposed will be the most expedient. The powers of the wardens are explained in section 9, and the counterfeiting of the stamps or other marks they use is made punishable under section 10.

Several subsidiary matters such as declaring the substances of which the weights and measures will have to be made, the shapes to be given them, the method of stamping them &c., will have to be dealt with by rules, and these will be issued from time to time. Power is given to the executive Government by section 8 to frame such rules.

I have now explained the lines on which I have drafted the Bill. If there are mistakes and defects, they can be corrected after it is advanced a stage further, but the necessity for the law will not, I trust, be denied. I request you to assent to its principle.

Mr. Thanu Pillai.—The object of the Bill is to obviate disputes and chances of fraud in commercial transactions—"to create", in the words of the learned mover, "a certainty of feeling that each person gets his money's worth of goods and is not cheated." This object, as to the importance of which there can be no two opinions, is sought to be gained by fixing certain primary standards of lengths, masses and volumes, and declaring that all transactions may be effected with authorised copies of them or of their multiples or sub-multiples.

We have to see whether the standards fixed are scientifically accurate and practically convenient, and whether the provisions of the Bill are sufficient to secure the object aimed at.

The measure of length adopted is "an English inch", which is said to be equal to "12 barley-corns." The unit of weight proposed is a tola weighing 180 grains Troy. The unit of capacity is "an Edangali" containing 80 cubic inches of water.

Of the systems in use throughout the world, the most important, indeed the only ones now used in scientific work, are the British and metric systems.

The British standard of length is "an Imperial yard," of weight "a pound", and of capacity "a gallon." The unit of length under the metric system is the *metre* which is the ten-millionth part of the distance between the Equator and the Pole. The units of capacity and weight are the "*litre*" and the "*gramme*" which are derived from the tenth and the hundredth parts of the metre respectively by cubing them.

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The primary standards fixed in the Bill do not follow either of the above systems; nor do they strictly follow the British Indian system according to which, the unit of length is "an imperial yard," the unit of weight is a "seer" which is equal to a *Kilogramme*, and the unit of volume is a measure containing one seer of water at its maximum density weighed in vacuum.

The learned mover has explained in the Statement of Objects and Reasons that "as there is no intention to assimilate our weights and measures to those of British India," he has not adopted the British Indian units. I believe, what is meant is that there is no intention to do away with the actual measures and weights in use in this country and adopt those in British India. If so, it may be remarked that the adoption of the British or metric standards does not necessarily involve the adoption of the weights and measures in actual use under those systems in supersession of those in use here. It is possible to make a table of weights and measures in actual use in terms of *any* standards we may adopt.

Taking the standards fixed by the Bill, it appears to me that it would be an advantage to adopt as the unit of length the imperial yard instead of the inch. An inch is described as equal to 12 barley-corns in length. This is hardly a scientific definition. An inch, of course, is $\frac{1}{36}$th of an imperial yard; but it is desirable to adopt the British unit rather than a sub-multiple of it as our standard, for it has to be remembered that a large number of copies of the standard and multiples of the standard will have to be made; and there is much greater liability to error in making copies of the proposed standard unit than there is in the sub-division of a larger unit such as a yard. Moreover, the inch is much too small for a unit, very few transactions being effected in terms of inches.

The unit of weight adopted has no doubt the advantage of being connected with British Indian coinage; but, having regard to the immense and growing transactions connected with our external trade, it is a question for consideration whether it would not be expedient to adopt a system which would be intelligible to outside persons having dealings with this country. In regard to weights and measures of capacity, the British Indian system is practically based on the metric system. Act XXXI of 1871 not only adopts the *Kilogramme* as the unit of weight, but has laid down that sub-divisions of weights and measures are to be expressed in decimal parts, unless otherwise ordered.

The definition of the unit of the measure of capacity given in the Bill is not sufficiently definite, inasmuch as the temperature of the water is not stated. I need hardly say that water like other bodies expands in volume as the temperature rises. An edangali of 80 cubic inches measured on the Cardamom Hills in January would, I believe, become one of 83 cubic inches at Nagercoil in May. It will be observed that the measure of capacity is here based on the lineal measure and not as under the British and metric systems on weight; and, as already pointed out, this would lead to practical inconvenience in transactions connected with our external trade.

One great advantage of our adopting the British standards is that we could easily obtain copies of prototype weights and measures. It would be no easy task to make or properly preserve the prototypes here.

As the Bill does not fully adopt the British system, it is worthy of consideration whether opportunity may not be taken to devise a system which, without interfering with local customs, would be scientific and be easily intelligible to all who have dealings with the State. I may here be permitted to quote the following suggestions made by a gentleman who is entitled to speak with authority on the subject :—

"The following proposals are worth consideration. They incorporate the principles of the metric system, but they also make use of the measures now generally used.

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*Length.* The standard of length to be one metre. Sub-divisions to be centimetres, so that 100 centimetres = 1 metre. Then make

1 Angulam = 3 centimetres.
1 Kole = 75 „

At present.

1 Angulam = 3·17 centimetres.
1 Kole = 76 2 „

*Volume or capacity.* The standard of capacity to be one litre (i. e., the volume occupied by 1 Kilogramme of distilled water at 4° C.)

Then make

1 Edangali = $1\frac{1}{3}$ litres.

At present

1 Edangali = 1·311 litres, which is very near $1\frac{1}{3}$:

Or better still, change the Edangali from 80 cubic inches to 61·03 cubic inches, then

1 Edangali = 1 litre.
1 Parah = 10 litres.

With this arrangement,

1 Edangali would = 1 seer.

*Weight.* The standard to be 1 Kilogramme.

Then the following table might be constructed:—

200 Calenjoos = 1 Kilogramme.
2 Rathals = 1 Kilogramme.

Also notice that 1 Kilogramme = 1 Seer.".

I am afraid the Council may, perhaps, consider that the above suggestions go too far. I do not, however, believe that a scheme like the above is either formidable or impracticable.

The next point on which I wish to say a word is as to the scope of the Bill. The Bill is only permissive in that it does not prohibit the use of weights and measures other than authorised copies of the standards or their multiples or sub-multiples. Even after the Bill becomes law, it would be open to parties to use any measure or weight they choose. Sections 264 and 265 of the Penal Code which deal with *false* weights and measures do not, I take it, penalise the use of *unauthorised* weights and measures. If this view is correct, the evils which the Bill seeks to do away with will continue. I am aware that the law in British India does not go further; but British India is a continent with an immense variety of languages and local customs, and the enforcement of uniform weights and measures in such a vast area may be viewed as a hardship. But in a compact and practically homogeneous country like Travancore, the same kind of objection does not exist to prohibiting the use of all but authorized measures—gradually, that is, after giving the people sufficient time to familiarize themselves with the standards and their various multiples and sub-multiples.

With these observations, I beg to support the general principle of the Bill.

Mr. Kunhiraman Nair.—I support the principle of this Bill. There is much to be said about the details of the measure, but the discussion on these points may be left to later stages and by a Select Committee. There is, at present, no definite and well-organised system of weights and measures in this State, those in different parts of the State varying largely from one another. Nor is there any law empowering Government to declare which of the several varying weights and measures shall be considered the standard for a particular area, though there are some executive orders

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not having the force of law. The result is that the Police and the Courts are powerless to deal with cases of fraudulent use of false weights and measures, and the provisions of chapter XIII of the Penal Code are practically unenforceable. The Bill aims at remedying the present defective state of the law, and as rightly remarked in a memorial from the inhabitants of Navaikulam addressed to the Council, the measure is a beneficial one. The object of legislation should, however, be not to introduce the use of new standards of weights and measures but to secure adherence to those ascertained by local enquiry to be the standards already in vogue in particular areas, and for this purpose, a searching enquiry through local officers should precede the final passing of the Bill. At present, we have no definite idea as to the precise standards of weights and measures adopted in different localities and it would be more satisfactory, if we have before us a memo embodying the result of local enquiry. The adoption of new standards with which the people are not already familiar is apt to produce confusion and should be avoided as far as possible.

Mr. Nagam Aiya.—I support the principle of the Bill before us. This is a measure the necessity for which has been felt for a very long time and, in my opinion, there is no measure of greater usefulness to the country so far as the people are concerned than the one brought by my friend Mr. Rajaram Row. There is no doubt some weight in the observations made in regard to the latitude to be given to the scope of the Bill. But for purposes of trade in bazaars and open markets, every measure of length and every measure of capacity or weight should bear upon it the impress of the Government seal and no measure or weight should be allowed to be used which does not on its face bear this impress of Government seal. Every case of breach of this rule should be made punishable. But in domestic transactions where the lady of the house purchases of the vegetable-woman green curry-stuffs and other sundry articles of home consumption and pays for them in grain, this rule should not be insisted upon, as it would lead to a great deal of confusion and inconvenience. I agree with my friend Mr. Kunhiraman Nair in thinking that those measures and weights should be adopted with which the people are already familiar, no matter however more convenient or scientifically accurate other measures and weights in use in more civilised countries, may be. Of course, the metric system, the introduction of which was suggested by my friend Mr. Thanu Pillai has its advantages. He meant it, however, only as a suggestion. But I think it is best that we should reduce the standards, as accurately as possible, in terms of the local measures, *e. g.* in the case of a measure of capacity to an edangali, of length, a muzham or yard, of weight, a rathal &c. These are, however, matters of detail which may well be left to be discussed in the Select Committee. At present, I have not the slightest doubt that all our friends will agree in affirming the principle of the Bill.

Mr. Sivasubramonia Pillai.—Of course, there cannot be two opinions regarding the necessity for so useful a measure. The learned mover of the Bill has, in his speech delivered before this Council on the 22nd June 1900, fully exposed the anomalous state of the standards of weights and measures that prevail in different parts of the country and how the people are systematically defrauded of their money. There is no doubt that a uniformity in the standards is one of the essential requisites for the development of trade, and that it is the duty of a good and civilised government to inaugurate a legal and satisfactory basis for commercial transactions. The mal-practices consequent on the absence of a recognized basis are too many and too common to need mention here. The trading classes have one set of scales for buying and another for selling. The timber merchants have similarly two koles with them. The goldsmith classes daily cheat us to a considerable extent. When we give them gold to be converted into jewels, they bring in one set of scales and when they return the jewels they weigh the same by another set of scales. There is always a difference in the weights of the metals too, that are used to denote the kalanjus. Even well-to-do and educated men fall victims to the goldsmith's trade, and what amount of cheating is practised in the case of the poor may be better imagined than described. Further, there is the case of the land-lord and the tenant. When at the end of a crop the tenant comes with his pattam paddy, the land-lord comes out of his house with a pattam marakal to measure, which is generally half as much again as the ordinary marakal.

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Again, when the selling time comes and the land-lord opens his granary for sale, he runs about the village to fetch the smallest marakal available. In these circumstances, it is with much pleasure that I hail the introduction of this Bill, and all the gentlemen and ryots of South Travancore with whom I have had occasion to discuss the subject are unanimously for it. Coming to the provisions of the Bill, I beg to submit that I do not like the idea of Government going into the matter piece-meal. It does not look well that the taluqs under the same Government should have different weights and measures in one and the same time. Unless the reform is made to take effect simultaneously throughout the country, there would be no good coming out of it. Things will move on in the old groove and the feeling of unsettledness will also continue. With regard to section 2, I doubt very much whether it is still necessary for us to stick to the Proclamation edangali of 80 cubic inches, and whether the time has not arrived when we should adopt a unit which is the same as or equivalent to what obtains in British India. Time was when Travancore was under the sovereignty of many petty chiefs, and time was when each petty State had its own peculiar laws and customs and its peculiar weights and measures. But in the progress of time, we see the subjects of all the petty chiefs have been metamorphosed into the subjects of a common Government, and while all other barriers to progress that existed between one State and another have been broken down, this one thing, the unification of standards of weights and measures, has been left in the back-ground. The edangali is the remnant of a b y-gone age, and I think it is high time that we should bid adieu to it. We have borrowed our acres and cents, our maunds, hundredweights and tons, the English inch, the English tola, all from the other side, and I ask, why not we adopt the Madras seer too as our unit? It must be remembered that with all our insularity, our fate is linked with that of our neighbours, the British Indian subjects of the Madras Presidency; our prosperity depends on theirs, and *vice versa*. Our commercial dealings are, for the most part, with British India, and in all commercial details, we daily adjust ourselves to the policy of the paramount power. This policy of adjustment or assimilation has always been found to be beneficial to both parties, and trade flourishes under this joint protection. The tendency of modern civilisation is to assimilate the political and social conditions of the races that are under the suzerainty of a common ruling power, and I suppose the railway, the steamer and all other modes of locomotion are worked with this object in view. On these considerations, I am of opinion that the retention of different units is a bar to free intercourse—to free trade—and that it places a sort of undesirable restraint on commercial activity. It is necessary that when our merchants deal with our neighbours they should be enabled to transact business without resorting to 'equivalents'. It may be said, on the other hand, that if we give up our edangali, we may be giving up one of the distinctive features of our nationality. What I submit is,—you may retain the name edangaly if you like but make it equal in capacity to the Madras seer. Another thing that strikes me is the absence of a mandatory section asking the people to conform to the provisions of this Bill by having their weights and measures duly stamped by the magistrate-wardens of the country. In the absence of such a provision, there is no guarantee that merchants will use proper weights and measures. With these remarks, I beg to support the principle of the Bill.

Mr. Dharmaraja Iyer.—The want of an enactment fixing the standards of weights and measures to be used throughout the country is greatly felt by the public, especially by the agricultural population. The majority of our ryots are poor and have to secure the necessaries of life by taking to the market the produce of their labour for sale. Owing to the disparity in the weights and measures, what the ryots take to the market is often found less in quantity and sells for less than what they expected. Most of the dealers in our bazaars and markets use one set of weights and measures for buying and another for selling. The land-lords or jenmies have their own measure of capacity or *pattapara* which is equivalent to 11, 12, or even 13 edangalies according to the Challay mudra. All this is a source of great hardship to the ryots and I think, therefore, that legislative action is highly necessary to bring about ultimately an uniformity in weights and measures. I have no hesitation in supporting the Bill now before the Council.

Mr. Ferguson.—I support the principle of the Bill.

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Mr. Rajaram Row.—I am glad that the result of the discussion has been the affirmation of the general principle of the Bill. Certain suggestions have been made with regard to the primary standards to be adopted. That I am not very particular about the standards fixed in the Bill will, I trust, be sufficiently clear from what I said in regard to section 3. No doubt, those are matters which may well be settled in the Select Committee. But since so much has been said about them, I think a word or two, by way of reply, will not be out of place here.

As our friend Mr. Kunhiraman Nair said, it is no doubt good that an enquiry into the weights and measures now prevailing in the different parts of the country should precede the final passing of the Bill. I shall do so and place before the Council full facts of the enquiry.

The adoption of the metric system in place of the measures of length has been suggested by my friend Mr. Thanu Pillai. No doubt the system has its own merits, but there have been differences of opinion on this point even in the Viceregal Council. In the discussions on the Bill which became Act II of 1889, the Hon'ble Mr. Scoble said that it was unfortunate that the French metric system was thought of in 1870 and that it was happy it was given up, while the Hon'ble Rajah Peary Mohun Mookerjee took the opposite view. Whatever may be the excellences of the metric system, the fact remains that although an attempt to introduce it was made in British India, it was authoritatively disallowed and it is very doubtful whether it will be expedient for us to adopt what they have disallowed. Coming to measures of capacity, it was said that the weight of a given volume of water on the Cardamom Hills will be much greater than the same volume of water at Nagercoil. But my proposal, it will be observed, does not deal with the conversion of weight into measure, but takes the capacity from a fixed lineal measure.

A remark was made about section 7, that it allows scope for there being weights and measures other than those authorized by the Regulation and that it is wrong in principle to allow such scope. I do not see how it will be wrong, for, whatever the Government may do in the way of fixing weights and measures, private individuals will be free to make their own arrangements and contracts, and it is, I think, with this point in view, that the British Indian Legislature put in their section 9, of which section 7 of the Bill is merely a copy.

Some of my friends have questioned the desirability of continuing the 80 cubic inches measure as the edangali. Of course, there may be other standards which are more convenient or scientifically accurate, but I have already said that in the settled taluks which are now 9 in number, the old standards have been given up, the 80 cubic inches edangali introduced and all taxes made payable by this edangali. If, therefore, a different standard is now introduced, all the contracts entered into with the numerous ryots in the 9 taluks will be upset, those which are nearly completed in several other taluks will have to be recast, and the State accounts will have to be re-written and re-adjusted, involving a deal of confusion and unnecessary labor, and it is for the Government to decide whether such a course is practicable or necessary.

There was another suggestion that it would be well to adopt the British standards because if we adopt other standards, there may be the difficulty of getting them scientifically and accurately made. I do not think that it is an insurmountable difficulty at all, for when we had to provide our stamped paper, Government arranged with the manufacturers in England giving them the particular water-mark to be used, and got them made. If this could be done in regard to stamped paper, I do not see why the same could not be done in respect of weights and measures also.

President.—From the opinions of the members, it is clear that all are agreed as to the necessity for legislation and the affirmation of the general principle of the Bill. But there seems to be difference of opinion with regard to the standards that should be adopted and this, I think, may well be left to the Select Committee. If the Select Committee want any information, they may call for it and it will be supplied. In regard to the standards of weights in British India about which so much has been said, I may say from my own experience that, though there are enactments and notifications on the subject in British India, each district has its

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own weights and in no two districts are the same measures used. This is probably due to the absence of the provision in the Act to make Government standard weights and measures compulsory. The fact that the British Indian L gislature has abstained from making them compulsory, although the notifications issued under the Act could take into account local conditions and make the necessary adjustments, may be taken as an indication of their conviction that absolute uniformity was not possible without serious disturbance to every-day transactions. It is by equivalents that all transactions are regulated there. Much, therefore, depends on the table of equivalents that will have to be fixed after the Bill becomes law. One cannot be too careful in framing the tables. We may take the general principle of the Bill as having been affirmed by the Council and proceed with the next stage.

Mr. Rajaram Row then moved that the Bill be referred to a Select Committee consisting of Messrs. Thanu Pillai, Sivasubramonia Pillai, Dharmaraja Iyer and the Mover, to report within 3 months.

Seconded by Mr. Nagam Aiya.

Carried.

## THE PRESS BILL.

Mr. Rajaram Row.—The second business before this Council to-day is the discussion of the principle of the Bill, which I introduced at the last meeting, for regulating printing-presses and periodical publications and books. I may say, at the outset that the Bill has been drafted on the lines of British Indian Act XXV of 1867, and two clauses of the British Post Office Act have, for reasons which I shall explain later on, been also inserted in it. A few brief facts connected with press legislation in British India will, I think, help us in understanding the provisions which this Bill contains, because whatever legislation we have on that point already has been copied from there and, with your permission, I will state those facts. Towards the middle of the last century, the Government of the Honourable East India Company found that books, reviews, magazines and periodical works were being composed and printed in certain parts of their dominions, and they wished to encourage such work by giving to their authors and publi-hers a right till then unknown, namely, a right of property in the fruits of their intellectual labours and by making the infringement of such rights specially actionable. There was a copy-right law for the United Kingdom, but doubts were felt whether it could be enforced in India. Hence, a new law, Act XX of 1847, was passed by the Indian Legislature of the time.

By this Act, the author of every book, and after his death, his heirs, and the projector, publi-her, and conductor of every encyclopædia, review, magazine or periodical publication, got a proprietary right in such work for a period of 42 years on fulfilling certain conditions. Respect for such right was enforced by making the printer and the person who caused the printing and the publisher of any work in infringement of this copy-right, liable in damages to the copyright-holder, and the property in the books &c., so printed and published was at once taken away from him and vested in the copyright-holder. Another feature of that Act was, that if any "book of importance" was not likely to be republished after the death of the original copyright holder while yet that right continued in his heirs, and such book was in consequence likely to be lost to the public, the Government had a right to issue a license to any person it pleased and cause its republication, showing thereby how solicitous the framers of the law were, not only to encourage literary enterprise, but also to benefit the public by the fruits thereof. From a careful perusal of this Act, it would be seen that at the time it was passed, literary enterprise was in its infancy and that it was confined to certain large towns. At that time, printing-presses were also very few. Twenty years, however, brought about a great change, and additional legislation became necessary. During that period, the famous Educational Despatch of 1854 had been issued from the India Office, and a great impetus had been given both to learning and to various kinds of literary composition. Private enterprise in other directions, too, had at the same time sprung into existence, and one direction in which it developed was the establishment of printing presses throughout the country by men of large means. An Act

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